

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

KATHRYN REITZ and)
BOBBIE MCDONALD,)
)
Plaintiffs,)
)
v.) Case No. 3:08-cv-0728
) Judge Trauger
CITY OF MT. JULIET,)
)
Defendant.)

ORDER

For the reasons expressed in the accompanying Memorandum, defendant City of Mt. Juliet's Motion to Compel (Docket No. 27) is **GRANTED**. Plaintiff Kathryn Reitz is directed to serve on the defendant a complete, sworn response to Interrogatory No. 6 within five days of this Order.

Furthermore, plaintiff Reitz and her former attorney, James L. Harris, are ordered to pay the reasonable expenses, including attorney's fees, incurred by defendant in drafting and filing its Motion to Compel and supporting memorandum (Docket Nos. 27 and 28).¹ The defendant is directed to file an accounting of these expenses on or before December 4, 2009. Reitz and Harris are directed to file any objections to the accounting on or before December 18, 2009. Reitz and Harris are also each directed to file, on or before December 18, 2009, a written submission, not to exceed ten pages, addressing (1) whether some reason exists why the court should not award

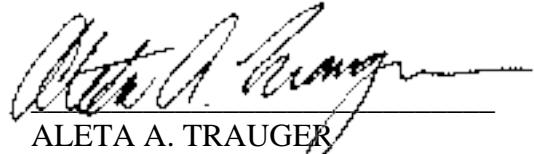
¹ This does not, however, include expenses incurred by the defendant relating to its reply memorandum (Docket No. 85).

expenses under Federal Rule of Civil Procedure 37(a)(5)(A), and (2) how the court should apportion the expenses between them. The clerk shall assure that James L. Harris, the plaintiff's former counsel, receives electronic service of this Order and Memorandum.

The defendant's Motion to Establish Mitigation Defense and Conclusively Establish Facts (Docket No. 34) is **DENIED**.

It is so Ordered.

Entered this 20th day of November 2009.



ALETA A. TRAUGER
United States District Judge